

**ACTION MINUTES #15**

**TIBURON DESIGN REVIEW BOARD  
THURSDAY, SEPTEMBER 7, 2006  
1505 TIBURON BOULEVARD**

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- A. ROLL CALL: Present:** Chair Bird, Boardmembers Beales, Doyle, Frymier and Teiser  
**Absent:** None  
**Ex-Officio:** Associate Planner Tyler, Assistant Planner Phillips and Minutes Clerk Ashworth
- B. PUBLIC COMMENTS (FOR ITEMS NOT ON THE AGENDA)**
- C. STAFF BRIEFING**
- D. CONSENT CALENDAR**
1. 80 Main Street Abrams/Zelinsky Sign **APPROVED 5-0**
- E. OLD BUSINESS BEFORE THE ROAD**
2. 7 Seafirth Place Simple Math, LLC New Dwelling **APPROVED 5-0**
- F. NEW BUSINESS BEFORE THE ROAD**
3. 71 East View Ave. James Additions/Variances/Floor Area Exception  
**CONTINUED TO 9/21/06**
4. 5 Rolling Hills Road Western Liability Ins. Additions **CONTINUED TO 10/05/06**
5. 4 Warren's Way Argov Additions/Variance **CONTINUED TO 9/21/06**
- G. APPROVAL OF MINUTES #14 OF THE 8/17/06 DESIGN REVIEW BOARD MEETING**
- H. ADJOURNMENT 9:38 PM**

**MINUTES #15  
TIBURON DESIGN REVIEW BOARD  
MEETING OF SEPTEMBER 7, 2006**

Chair Bird opened the meeting at 7:00 p.m.

**A. ROLL CALL**

**Present:** Chair Bird, Boardmembers Beales, Doyle, Frymier and Teiser  
**Absent:** None  
**Ex-Officio:** Associate Planner Tyler, Assistant Planner Phillips and Minutes Clerk Ashworth

## **B. PUBLIC COMMENTS**

Charles James requested a continuance for the application at 71 East View Avenue to the September 21, 2006 Design Review Board meeting.

## **C. STAFF BRIEFING**

Associate Planner Tyler introduced Scott Phillips as the new Assistant Planner, and also informed the Board that the application for 5 Rolling Hills Road had been continued to the October 5, 2006 Design Review Board meeting.

## **D. CONSENT CALENDAR**

### **1. 80 MAIN STREET ABRAMS/ZELINSKY, SIGN**

The applicant is requesting approval for two (2) on-building signs and one (1) overhead mounting hanging sign for the purpose of advertising a retail shop at 80 Main Street (Ark Row) in Downtown Tiburon. The hanging sign would be double-sided and project over the front entrance to the store along Ark Row. The on-building signs would be located on the front of the building, adjacent to the entrance, and at the rear of the building. Sign materials would consist of painted wood. No illumination is proposed.

The applicant was not present for the meeting and no presentation was given to the Board.

Boardmember Teiser stated that a third sign is frequently allowed in the Ark Row area which aids in allowing those who are parking behind the business to know what type of business is located fronting Ark Row. He also agreed with Staff's recommendation that the on-building sign area be reduced to comply with the total maximum sign area of nine (9) square feet.

Boardmember Frymier stated that the proposed height of the sign at 6'8" is fine and that the other adjacent stores have hanging signs which are low and have been accepted at that height.

**M/S Teiser/Beales, (passed 5-0) to determine that the project be categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff Report, with the additional condition of approval that the on-building signage be reduced in sign area, so that the total sign area for the business is a maximum of nine (9) square feet.**

## **E. OLD BUSINESS BEFORE THE BOARD**

### **2. 7 SEAFIRTH PLACE SIMPLE MATH, LLC, NEW DWELLING**

The applicant is requesting to construct a new single-family home on a currently vacant lot. This application was first reviewed at the July 20, 2006 Design Review Board meeting, but was continued to allow the applicant to address concerns from the Board and neighbors regarding the project design. The applicant has now submitted revised drawings for the project. The proposed floor plan layout has not changed extensively

from the previous submittal. The structure proposed would create lot coverage of 2,401 square feet (11%), which is below the maximum permitted lot coverage in the RO-2 zoning district (15%). The proposed structure would create a gross floor area of 4,180 square feet, which is below the maximum floor area allowed for a lot of this size (4,199 sq. ft.).

Associate Planner Tyler informed the Board that the applicant met with Staff prior to the meeting to review the plans for conformance with the thirty foot height limitation. She indicated to the Board that the structure is within the thirty foot height limit, and that if the Board has any concerns the applicant can explain.

Carl Bridgers, Holey Associates, presented the changes requested and discussed the history of the project. The three main concerns of the previous submittal were; preservation of a Monterey Pine tree for screening purposes between 4030 Paradise Drive and the subject property; lowering the finished grade of the driveway by reducing the amount of fill; and adjusting the mass of the house as viewed by 5 Seafirth Place.

Mr. Bridgers discussed how the proposal showed preservation of the pine tree by rotating the house and maintaining a nine foot setback from the house. Boardmember Teiser asked if the nine foot setback from the tree was being calculated from the center of the tree to the proposed structure. Mr. Bridgers stated that it was.

Mr. Bridgers also stated that his client has met with the owners of 5 Seafirth Place twice to review the revisions to the project. He indicated that they are in agreement with the project design and will work with this neighbor further, as they are planning on making improvements to their rear yard.

Regarding the Board's previous inquiry about drainage on the site, Mr. Bridgers responded with a drainage plan which helps alleviate the standing water on the 5 Seafirth Place property and runoff from 7 Seafirth Place.

Boardmember Beales asked if the arborist has gone on record stating whether or not the tree would survive. Mr. Bridgers responded that the tree can survive if properly taken care of, but the tree is already severely compromised. Boardmember Beales then asked if the arborist thinks that careful placement of the foundation of the home would help preserve the tree. Mr. Bridgers responded yes but the best thing to do would be to put in a new tree and he felt that it is not worth the effort to save the tree. Their idea is to plant additional trees so that once the tree does die, others will be in place to act as screening.

Mr. Bridgers added that they will get a construction document from the arborist, incorporated into the drawings which would become a part of the project, for preservation of the tree. Boardmember Teiser stated that the plans are fine, but in reality, once construction begins, the equipment is brought in and the tree gets damaged and therefore has to be removed.

Boardmember Frymier asked about the tightening up of the sides of the house. Mr. Bridgers responded that he decreased the size of the house and tightened in one side, and rotated the house, so there was a 5 foot and 9 foot reduction on two sides.

Lisa Cohan stated her history of the project and her meetings with the Architect, Carl Bridgers. She indicated that her home has a slot view, which they would like to preserve. She said that the tree acts as a blanket so that privacy is maintained and she was concerned that the tree would not survive the construction. The side of the proposed house where a bedroom would exist, would have a window looking directly at her home, and

she wanted clarification of what kind of window this would be.

Rimmo Jolly stated that the owner and architect have been helpful and are trying to do the right thing. His main concerns were to ensure privacy between the properties, and that the home follows the hillside guidelines. He stated that he was unsure whether he could support the project as proposed and was unclear about the design of the driveway.

Mr. Bridgers addressed Mr. Jolly's comments and stated that they want to work together with him because at some point, Mr. Jolly will be making improvements to his yard and if it is something they can facilitate during construction, they will work with him on that. In response to Mrs. Cohan's comments regarding the tree, Mr. Bridgers felt that they have remedied the tree issue. He mentioned that this proposal is a vast improvement over the initial proposal and there is no view obstruction of the bay from 4030 Paradise Drive. He brought up the option of a small bay window which would be cut off from the side facing 4030 Paradise Drive.

Boardmember Doyle asked whether the house and staircase could be moved or shifted to give more room to the tree. Mr. Bridgers said it is a possibility to shift the plane of the home and re-configure the stairs to gain additional space, and asked if they could work with staff on this issue.

Moe Nobari, owner, stated that the tree has to be trimmed to improve the canopy and the limb structure. He stated that he could have the arborist monitor the tree during construction, but that the house design has allowed 9' to accommodate any root structure. He brought up the idea of planting additional trees so that there would provide screening but noted that the tree is diseased and would likely die soon anyway.

Boardmember Frymier stated that she likes the home and likes the fact that the applicant has been working with the neighbors. She also stated that a lot of time, money and energy have been put into saving this tree when in actuality the tree would die. She supported the idea of working to shift the home to gain more room for the tree, but again stated the tree will perish. She suggests that the loss of this tree should be dealt with by planting more oak trees. She supported the project, stating that it will be a beautiful house. She said that she was still concerned about the mass of the home but felt that if the neighbors approve of it, she could as well.

Boardmember Doyle appreciated the amount of flexibility of the owner and architect. He said that he still thought that shifting the home, as mentioned earlier, would help the tree, but he supported the project.

Boardmember Beales agreed with Boardmember Frymier. He stated that there would be no view blockage, and that the window on the side facing 4030 Paradise Drive would be well below the level of their deck. He advised that the applicant should let the arborist do as much as they can to preserve the tree during construction.

Boardmember Teiser stated that this proposal was very well thought out and commended the architect and applicant for working with the neighbors. He agreed with Boardmember Doyle's suggestion of shifting the home.

Chair Bird stated that the focus should be what will be planted between the homes for screening purposes for the long term solution of privacy. She also stated that she appreciated the efforts of the applicant to work with the owner of 5 Seafirth Place. She felt that it will be a lovely home and agreed with shifting the home.

**M/S Teiser/Beales, (passed 5-0) to determine that the project be categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff Report, with the additional condition of approval that Staff work with the applicant to shift the home to the maximum extent possible to gain additional room between the home and the pine tree.**

**F. NEW BUSINESS BEFORE THE BOARD**

- 3. 71 EAST VIEW AVENUE JAMES, ADDITIONS/VARIANCES/FLOOR AREA EXCEPTION - CONTINUED TO THE SEPTEMBER 21, 2006 MEETING**
- 4. 5 ROLLING HILLS ROAD WESTERN LIABILITY INSURANCE, ADDITIONS CONTINUED TO THE OCTOBER 5, 2006 MEETING**
- 5. 4 WARREN'S WAY ARGOV, ADDITIONS/VARIANCE**

The applicant has submitted a request for Site Plan and Architectural Review for additions to the single-family dwelling, located at 4 Warren's Way. Additions to the first floor include a new guest suite, three bedrooms and one bathroom. Additions to the second floor include a new two-car garage, family room, mudroom, foyer, pantry, and expansion of the existing kitchen. Also proposed are three (3) new skylights and new cedar shingle siding.

The guest suite would contain a bedroom, bathroom, closet and a storage area. Access would be provided through an exterior doorway open to the rear yard, to remain separate from the main dwelling. The existing carport would be converted into one of the new bedrooms and the bathroom proposed at the first floor. The proposal includes a new two-car garage, which replaces the carport. A new exterior stairwell would replace the existing spiral staircase to service the two floors.

Doug Thompson, architect, presented the proposal. He stated that the purpose of the project is to enlarge bedrooms and increase kitchen space for a family of five. He stated that they considered building up, but for consideration of the neighbors, this plan was proposed instead. He stated that addition in the middle of the lot would be concealed by existing landscaping and the existing structure.

Joe Poen stated that the structure would be too massive, overcrowd the site and would not be in harmony with the neighborhood. He was concerned with his views, though he admitted that his view impact would be minor. He said that he is worried that the excavation for the proposed structure would destabilize the land on which their property sits. He said that he is concerned about the location, size, and the height of the garage/guest suite structure, which would be separated from his house by only 35 feet. He showed photographs to illustrate his issues. He believed that if his existing landscaping screens the structure, then his views would be eliminated. His suggestion would be to lower the garage/guest suite by two feet.

Nicole Roberts stated that she is not affected by the mass due to being downhill from the proposed home. She suggested moving the garage to the other side of the home to solve the view impacts, and therefore solve the setback issues.

Barbara Roberts stated that the homes in this area were built at the same time, with no north-facing windows so as not to affect the nighttime views of uphill properties. She said that her views would be dramatically affected due to the proposed north-facing windows. She was also concerned with the east-facing windows that would partially affect her nighttime views, but felt this was more of an issue for the home at 6 Burrell Court. She also felt that the building mass was a concern.

Eric Tepper stated that he is not impacted by the proposed project. He said that a bright light over the existing carport area impacts his nighttime view, but he has spoken to the owner about it.

Doug Thompson stated that all that would be visible to the neighbors would be the roofs. He stated that moving the garage to the other side of the home is not possible because there is not enough room due to the setback lines. He did not feel that the connecting infill addition to the garage/guest suite would increase the bulk of the house, as it would be masked by several perspectives. He said that the Argovs have spoken with most of the neighbors and were shocked at the neighbor's letter in opposition to the proposal. Mr. Thompson stated that some of the neighbors have rescinded their disapproval of the project since. He stated that the north-facing windows were placed there for ventilation for the 1<sup>st</sup> and 2<sup>nd</sup> floors of the structure, and that they made the window sizes small so there would be minimal light pollution.

Boardmember Doyle inquired about the height of the ceiling in the guest suite. Mr. Thompson responded that it would be eight feet.

Boardmember Teiser asked about the garage, suggesting that moving the garage towards the old carport area could be a solution. Mr. Thompson said that the patio area would be unusable if this was done.

Boardmember Frymier inquired about the distance between the proposed guest suite and the existing carport and suggested lowering the roof of the garage. Mr. Thompson responded that the roof would have to be flat to lower it. He suggested truncating the roof to match the existing structure, which would lower the roof by two feet.

Boardmember Beales stated that he has visited neighbors, who would look down on roofs, and noted that this often happens on hillsides. He suggested that a reduction in windows on the north facing elevation should be considered, but could otherwise support the project as-is.

Boardmember Teiser stated that since the windows are in bedrooms and could affect neighbors' views, these should be addressed. He was concerned about the side property line, but now that the property setbacks have been explained, he could support the project.

Boardmember Frymier said that she did not think that the project is massive; however, she would like the roof on the garage lowered to appease the neighbors. She said that the light pollution should be remedied, perhaps by making the windows horizontal instead of vertical, since they are for ventilation purposes. She supported the project with the changes that Boardmembers have suggested.

Boardmember Doyle stated that the home is very well designed. He stressed that the roof of the garage should not infringe on the neighbors' sense of space. He stated that the suggestions of the neighbors are reasonable, and felt that the garage roof should be lowered. He also felt that the upper level north facing windows should

be reduced in size or eliminated due to the fact that people use their bedrooms at night, so the light would affect nighttime views. He said that he could only support the project with the garage roof lowered and the windows addressed.

Chair Bird stated that she could also support the design with the reduction in the size of the upper level north facing windows and the lowering of the garage roof.

Boardmember Teiser suggested a continuance due to the number of changes suggested.

**M/S Teiser/Beales (passed 5-0) to continue this item to the September 21, 2006 meeting.**

**F. APPROVAL OF MINUTES #14 OF THE 08/17/06 DESIGN REVIEW BOARD MEETING**

Amendments include:

Page 5, 3<sup>rd</sup> paragraph-last line of paragraph “should” be removed

Page 5, 4<sup>th</sup> paragraph-metal roof material was **not** reflective and **was put on a roof in Belvedere.**

Page 6, 2<sup>nd</sup> paragraph-last line “to give the **applicant more time and consideration to address the neighbors’ concerns**

**M/S, Beales/Teiser (passed 5-0) to approve the minutes as amended.**

**G. ADJOURNMENT**

The meeting was adjourned at 9:40 pm.